



Appeal Decisions

Site visit made on 25 February 2025

by **A James BSc (Hons) MA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th February 2025

Appeal A: APP/H1515/W/24/3349418

213 Coxtie Green Road, Pilgrims Hatch, South Weald, Essex CM14 5RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr B Mitchell against the decision of Brentwood Borough Council.
 - The application reference is 24/00386/HHA.
 - The development proposed is install 15 solar panels to roof of dwelling with attached rear battery and power storage unit.
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Appeal B: APP/H1515/Y/24/3349420

213 Coxtie Green Road, Pilgrims Hatch, South Weald, Essex CM14 5RP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr B Mitchell against the decision of Brentwood Borough Council.
 - The application reference is 24/00387/LBC.
 - The works proposed are install 15 solar panels to roof of dwelling with attached rear battery and power storage unit.
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Decisions

1. Appeal A is allowed and planning permission is granted to install 15 solar panels to roof of dwelling with attached rear battery and power storage unit at 213 Coxtie Green Road, Pilgrims Hatch, South Weald, Essex, CM14 5RP in accordance with the terms of the application reference 24/00386/HHA and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers: 200/01: Site Location Plan; 200/01: Existing and Proposed Layout Plans and Elevations; and, 202/00: Existing and Proposed Block Plans
2. Appeal B is allowed and listed building consent is granted to install 15 solar panels to roof of dwelling with attached rear battery and power storage unit at 213 Coxtie Green Road, Pilgrims Hatch, South Weald, Essex CM14 5RP in accordance with the terms of the application reference 24/00387/LBC and subject to the following condition:
 - 1) The works authorised by this consent shall begin not later than three years from the date of this consent.

Preliminary Matters

3. As the appeals relate to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), which requires me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
4. I have taken the proposal descriptions from the decision notices and appeal forms, as they more accurately reflect the nature of the proposal.
5. The Council raises no objection to the proposed battery storage and power storage unit. Based on my site visit and the evidence before me, I find no reason to reach a contrary conclusion on this matter and find that these elements of the scheme would preserve the special interest of the listed building.

Main Issue

6. The main issue is whether the proposal would preserve a Grade II listed building, known as 'Haylands' (Ref: 1206141), and any of the features of special architectural or historic interest that it possesses.

Reasons

7. 'Haylands' is a timber framed dwelling, which is estimated to date back to the 17th century. The building was extended to the rear in the 19th century to form a building with a double pile roof formation. The building has had numerous additions in the 18th, 19th and 20th centuries. The historic core of the building is two storeys high and has accommodation within the roof. It is constructed of red brick in Flemish bond and has a bell-cast hipped roof, with peg tiles.
8. Based on my site visit and the evidence before me, I find that the listed building's special interest, insofar as is relevant to these appeals is derived from its historic and architectural interest, as an illustration of a historic farmhouse, which dates back to around the 17th century. The building's timber frame, use of traditional materials and the symmetrical design of the principal part of the building all make important contributions in these regards.
9. The listing description excludes the single storey, timber framed continuation of the house to the east. The proposal would be sited on a modern part of the building, which is located to the rear of part of the eastern projection. While it is questionable whether listed building consent is necessary for the proposed works, the appellant submitted a listed building consent application, which was determined by the Council. As an appeal against a refusal of listed building consent is before me, I have determined Appeal B accordingly.
10. The proposed solar panels would be sited on two roof slopes, which are both modern additions to the building. As a result, the proposal would not affect any historic fabric. The proposed solar panels would be sited on roof slopes that are set back behind the front building line of Haylands and behind existing built form. Consequently, they would only have a limited visual impact when viewed from the public realm. Given the distance, set back location and modern appearance of these parts of the building, I do not find that they contribute towards the historic significance of the asset. As these roof slopes are clearly modern in appearance, I

do not find that the proposed solar panels would appear incongruous on these modern roof slopes.

11. I appreciate that both the historic core of the building and the solar panels would be seen in views from the highway. However, given the distance between the historic core of the building and the proposed solar panels, their set back location and the fact that they are sited on modern parts of the building, which are not clearly read as part of the historic farmhouse, I find that the proposal would not harm the special interest of the listed building.
12. For the reasons given above, I conclude that the proposal would preserve the special interest of the listed building. The proposal would satisfy the requirements of the Act and the historic environment policies of the National Planning Policy Framework. The proposal would also comply with Policies BE14 and BE16 of the Brentwood Local Plan 2016 – 2033, adopted March 2022. These policies among other things require that proposals sustain and wherever possible enhance the significance of heritage assets and their settings and are sympathetic to their context.

Conditions

13. In the interests of certainty, a condition specifying timescales is required for both appeals and an approved plans condition is required for Appeal A. An approved plans condition is not necessary for Appeal B as there is no provision for a minor material amendment to a listed building consent.

Conclusion

14. For the above reasons and having regard to all other matters raised, I conclude that both appeals should be allowed.

A James

INSPECTOR